

REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed January 20, 2010, in which the Examiner (1) rejected claims 1-7 and 29-30 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,842,221 (“**Schmonsees**”), in view of U.S. Patent Application Publication No. 2004/0133474 (“**Tami**”) and further in view of DynaHelp Analyzes Customer Interactions to Dynamically Improve Website Usability (“**eHelp**”), (2) rejected claims 18, 20 and 22-23 under 35 U.S.C. 103(a) as being unpatentable over **Schmonsees**, in view of U.S. Patent No. 6, 377,944 (“**Busey**”) and further in view of **Tami**, (3) rejected claims 8-11 and 19 under 35 U.S.C. 103(a) as being unpatentable over **Schmonsees**, in view of **Tami**, further in view of **eHelp**, and further in view of U.S. Patent Application Publication No. 2003/0018629 (“**Namba**”), (4) rejected claim 21 under 35 U.S.C. 103(a) as being unpatentable over **Schmonsees**, in view of **Busey** and in view of **Tami**, and further in view of U.S. Patent Application Publication No. 2003/0200118 (“**Lee**”) and (5) rejected claims 24 and 26-28 under 35 U.S.C. 103(a) as being unpatentable over **Schmonsees**, in view of **Busey**, further in view of **Tami** and further in view of **eHelp**.

No claims are being revised in this Amendment.

Applicant appreciates the courtesy extended by the Examiner during a phone interview on April 12, 2010. During the interview, no agreement was reached as to the allowability of the claims. However, the Examiner suggested filing this Amendment with comments on the newly cited **eHelp** reference, similar to the comments made by Applicant’s attorney during the interview. The Examiner indicated that she would discuss such reference with her supervisor and then contact Applicant’s attorney concerning the result of the discussion with her supervisor.

On page 4 of the Office Action, the Examiner stated that **eHelp** “teaches selecting at least one of a set of questions to display to the user based on the account data so that the set of questions are personal to the user based on the personal data of the user, rather than based solely on topics selected by the user (see page 2, paragraph 5).”

As discussed during the interview, Applicant respectfully submits that **eHelp** does not select questions “based on the account data so that the set of questions are personal to the user based on the personal data of the user,” as recited in claim 1.

In **eHelp**, FAQs for helping customers at a website are generated by providing a feature that “learns from customer interactions”, “grows with site usage,” and is “based on prior patterns” of use. The feature updates the FAQs “to stay in sync with new content and with customers changing needs.” See **eHelp**, page 1, paragraph 1, and paragraph 2, paragraph 5. While there is no detail as to how this is implemented, Applicant respectfully submits that that the only reasonable interpretation of this brief disclosure in **eHelp** is that FAQs are generated based on the collective use and prior patterns of a *plurality of users* at the website, rather than on account and personal data of *a user*, as in Applicant’s claimed invention.

If anything, Applicant submits that **eHelp** teaches away from the present invention by teaching that FAQs are generated based on patterns of use by a plurality of users at a website, which would, in fact, be contrary to Applicant’s invention of selecting FAQs based on “personal data of the user” as is recited, for example, in claim 1.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Further, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment in connection with this paper to Deposit Account No. 20-1430.

Appl. No. 10/783,715
Amdt. dated April 20, 2010
Reply to Office Action of January 20, 2010

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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